

WASHINGTON, DC – Today, before returning home for the August recess, U.S. Representative Mike Quigley (D-IL) introduced a bill that would help protect and strengthen state pay-to-play laws that get watered down when their federal funding appears to be in jeopardy. H.R. 3427 – the State Ethics Law Protection Act – would end the U.S. Department of Transportation's Federal Highway Administration's (FHWA) practice of threatening to withhold funds from states that have anti-corruption laws.

FHWA has indicated to some states that they would not release millions of dollars for projects due to their new pay-to-play laws. In Quigley's home state of Illinois alone, the General Assembly was forced to amend the state law by exempting federal highway projects from the contribution-for-contracts restrictions when their funding was threatened. This activity all took place the very week that former-Governor Rod Blagojevich was arrested by authorities on corruption charges abusing the same.

"Hunting for corruption in Illinois is like hunting for cows. They walk up to you and moo," said Quigley. "Many states have solid reform measures, and weakening these laws to comply with a selectively-applied and often misinterpreted federal statute is moving in the wrong direction. We don't need to be enabling more graft or undermining a local legislature's efforts to clean up their own state. This bill will ensure that every contractor and every project is subject to the same set of state-written rules."

Quigley's bill would close a loophole that the FHWA claims allows them to withhold Federal-Aid highway dollars from states that have anti-corruption laws. The FHWA argues that state pay-to-play laws deter contractors from entering the bidding process, thus weakening the competitive pool, driving up costs, and violating a federal statute (Sec 112 of title 23, U.S. Code). While nine states currently have anti-corruption laws, the FHWA's application of the statute has been selectively threatened – in Illinois (2008) and New Jersey (2004). Both states immediately amended their laws out of fear of noncompliance and losing funding for critical projects.

"Allowing states to enforce aggressive reform measures helps us to ensure that government is operating in the best interest of the citizens and that publicly-funded projects are chosen on merit, not influential political contributions," said Quigley. "We owe it to taxpayers to provide the most honest, open, and accountable process possible."

As a Cook County Commissioner, Quigley led the fight to increase transparency, accountability, and fiscal responsibility across the county. In 2007, he passed ethics reforms requiring both the Assessor and Board of Review to post all appeal decisions online, including owner name, attorney name, property address, and reasoning for the decision. In Congress, Quigley has continued his unwavering commitment to reform, by publicizing his appropriation requests and introducing recent legislation to prohibit earmark requests for for-profit entities.

H.R. 3427 will be considered when Congress returns to session in September.